



Partner

## Yohei Hasebe

Daini Tokyo Bar Association, Japan Federation of Bar Associations (2008)

Japan Patent Attorneys Association ( 2018 )

Location

Tokyo Office

## Practice Areas

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### Intellectual Property Law

Intellectual Property Transactions / Intellectual Property Dispute Resolution / Unfair Competition / License and Franchise

### Corporate and M&A

General Corporate Practice / General Corporate Practice / General Corporate Practice / General Corporate Practice / General Corporate Practice / General Corporate Practice

### Dispute Resolution

Intellectual Property Dispute Resolution

### Industries

Information Technology, Internet and Telecommunications / Entertainment / Real Estate / Franchise

### Risk Management & Compliance

Protection of Personal Information / Information Security and Cybersecurity

### Life Science, Pharmaceutical and Healthcare

Research and Development / Business-Academia Collaboration / Dispute Resolution / Health and Nursing Care / Cosmetics &amp; Health/Beauty Care Products

### Personal Data, AI, IT and Digital

Protection of Personal Information and Privacy / Information Security, Cybersecurity / Data Breach &amp; Incident Response / AI, Machine Learning / FinTech / Digital Law

## Professional Summary

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Yohei Hasebe is a partner of Oh-Ebashi LPC & Partners. Mr. Hasebe specializes in intellectual property (licensing and litigation of all types), bankruptcy/restructuring and information technology law. Mr. Hasebe has prepared, tried and argued intellectual property cases in various technical fields including pharmaceuticals, biotechnology, chemistry, mechanical engineering, electric engineering and computer software. In addition, Mr. Hasebe has extensive experience with bankruptcy/restructuring cases (out-of-court arrangements/legal liquidation proceedings) and information technology law cases (providing advice on the personal information protection system, the social security and tax number system, etc.).

## Major Cases Handled

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Intellectual Property Cases

- Represented clients including several Japanese and foreign-affiliated pharmaceutical companies (original products/generic products), automobile-related manufacturers, manufacturers of products for infants, and game/software manufacturers in patent infringement cases, provisional injunction proceedings, patent invalidation trials and appeals
- Represented a Japanese pharmaceutical company in a petition to reverse a trial decision on the registration of extension of the duration of a patent right
- Represented Japanese pharmaceutical companies, materials manufacturers, researchers, etc., in claims for compensation (reward) for employee inventions
- Represented many clients including several Japanese and foreign-affiliated apparel brands, packaging materials manufacturers, and materials manufacturers in cases involving copyright infringement, trademark infringement and unfair competition
- Represented Japanese pharmaceutical companies in proceedings seeking suspension of the import clearance
- Provided advice on patent rights (e.g., relating to pharmaceutical, bio and chemical products, system software, business models, machineries and engineering, etc.) and other intellectual property rights (e.g., copyright, trademark rights, etc.) as well as unfair competition, and represented clients including business companies and research institutions in negotiations
- Provided advice on entertainment-related contracts (such as contracts concerning publishing, filmmaking, commercial film appearances and character licensing)
- Provided advice on the establishment of internal regulations that conform to the intellectual property legal system (employee invention and work made for hire)
- Provided advice on the handling of intellectual property in M&A cases; IP due diligence
- Provided advice concerning the intellectual property strategy of venture companies, etc.
- Provided advice and represented a Japanese company in an intellectual property dispute in China

#### Bankruptcy/Restructuring Cases (Out-of-court Arrangements/Legal Liquidation Proceedings)

- Represented many clients including several Japanese and foreign-affiliated communication companies, construction companies, publishing companies, nonprofit organizations, and individuals in out-of-court arrangements (with total liabilities ranging from a few million yen to hundreds of billions of yen)
- Acted as counsel for petitioner, legal advisor and assistant trustee in corporate reorganization proceedings (including DIP-type proceedings) for many companies including several Japanese and foreign-affiliated communication companies, loan companies, and hotels (with total liabilities ranging from thousands of millions of yen to hundreds of billions of yen)
- Acted as counsel for petitioner in civil rehabilitation proceedings and bankruptcy proceedings for many companies and individuals
- Acted as bankruptcy trustee (appointed by the Tokyo District Court)
- Represented clients (creditors) in out-of court arrangements/legal liquidation proceedings

#### Cases relating to information technology law and/or information law

- Provided advice on regulations, contract documentation, etc., concerning the online game business (such as game applications for PC/smartphones, and the settlement services related thereto) and the content business to Japanese clients including game/software makers, web content creators, etc.
- Provided advice on regulations, contract documentation, etc., concerning cloud services, online file forwarding services, file sharing services, online advertising, etc., to many clients including Japanese and foreign-affiliated communication companies, file sharing website operators, a music distribution service operators, and search site operators
- Provided advice on regulations, etc., concerning email newsletters and website content to clients including foreign-affiliated system development companies, and a consulting companies
- Provided advice on compliance with the personal information protection (disclosure) system to clients including Japanese and foreign-affiliated pharmaceutical companies, communication companies, commodities and toiletries manufacturers, loan companies, and apparel brands
- Provided advice on compliance with the Social Security and Tax Number System to many clients including Japanese and foreign-affiliated insurance companies, IT companies, pump manufacturers, commodities and toiletries manufacturers, and apparel brands

#### Litigation (Other Than Intellectual Property Litigation)

- Represented a discretionary investment management company/trustee company in several disputes concerning its liability for investment losses in a specific pension investment trust fund
- Represented a large number of owners of cooperative and condominium interests in a large-scale complex facilities in a dispute concerning the fairness of the allocation of fixed property taxes, etc., among the owners of such facilities
- Represented Japanese real estate companies (as the builders) in disputes concerning a condominium building and a detached housing (defects, noise, sunlight, sick building syndrome, etc.)
- Handled the filing of a petition for court approval for convening a shareholders' general meeting in a dispute among the shareholders of a company, and provided advice on proceedings of a shareholders' general meeting
- Represented foreign-affiliated companies in an investigation of a misconduct, conducted the investigation, and filed a civil action for damages and the related criminal action
- Represented Japanese and foreign-affiliated companies in engaging in collective bargaining as well as labor litigation including labor tribunal proceedings and administrative labor cases

## Education & Professional Experience

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2007  
The University of Tokyo School of Law (J.D.)

## Activities

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2016 - present

The International Association for the Protection of Intellectual Property of Japan (Aippi - Japan)

2016 - present

Japanese Association of Turnaround Professionals

2013 - present

IP Lawyers Network Japan

2009 - present

Insolvency Law Study Group of Daini Tokyo Bar Association

## Publications

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2023.01.31	Attribution of the Right to Claim Mutual Aid Money Paid for an Event Covered by Mutual Aid that has Occurred after Renewal of the Contract Therefor
2021.11.09	Business Restructuring Subsidy
2020.12.08	Basics of the Practice of Business Corporations Preserving and Collecting Credit from Trading Counterparties
2019.04.09	Impact on Insolvency Procedures from Expanded Protection under the Copyright Act and Introduction of the System of Automatic Perfection of License Rights to Use Works
2018.08.14	A case in which the Court held that, in rehabilitation for individuals with small-scale debts, the existence or absence of uncontested claims and the like may be taken into consideration in deciding whether or not the approval of the proposed rehabilitation plan setting forth special clauses on home loans qualifies as an event where approval was based on actions conflicting with the principle of good faith and trust - Decision of the Supreme Court (3rd Petty Bench) on December 19, 2017

## Seminars/Lectures

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2022.01.12	【Online Seminar】Series of Seminars on Latest Court Decisions (8): Latest Court Decisions on Intellectual Property
2020.12.10 ~ 2021.01.31	【Online Seminar: Video Streaming】Risk Management & Compliance Seminar Basic Practice for Companies to Preserve/Collect their Claims against/from Customers
2018.02.27	Recent Developments regarding the Doctrine of Equivalents in Japan, the United States and China
2017.07.25	Exhaustion of Patent Rights in Japan, U.S. and China
2017.07.04	[Nagoya] Management of Intellectual Property Rights in China and ASEAN Countries
2017.05.19	[Tokyo] Management of Intellectual Property Rights in China and ASEAN Countries
2017.05.12	[Seminar Series of 2 Sessions] Session 1: Management of Intellectual Property Rights in China and ASEAN Countries
2017.02	Strategic Practices for Cross-Border Licensing -- Challenges of Licensing in China and Solutions Thereto
2016	Management of technical information without acquiring patent rights - Practice in acquiring rights of trade secret and prior use
2015.08	Seminar on Business Practices in Response to the My Number System - Overall Summary covering a General Description of the My Number System, Development of Operational Flows, and Points in Business Practices in Response to the My Number System
2015.07.08	[Intellectual Property Seminar] Implementation in Companies of the Employee Invention System (in

2015	Operation of the employee's invention system in companies - Under the current and amended laws
2015	Overall summary covering a general description of the My Number System, development of operational flows, and points in business practices in response to the My Number System - Seminar on business practices in response to the My Number System
2013	Infringement on copyright in the network society - Two supreme court judgments concerning the nature of infringer

## Languages

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Japanese and English